

### REMARKS

This application pertains to a novel pressure-sensitive adhesive which is redetachable by stretching and which has an improved bond to hydrophilic surfaces. The novel redetachable pressure-sensitive adhesive comprises at least one water soluble polymer.

Claims 1-7 are pending.

The title is being amended to more accurately reflect the claimed subject matter. In addition, the paragraph bridging pages 5 and 6 of the specification is being amended to correct a typographical error. It is clear from the context of the paragraph that --B-- blocks are being discussed, not "D" blocks.

No new matter is added.

Claims 1-7 stand rejected under 35 U.S.C. 103(a) as obvious over Lühmann (US 5,897,949) in view of Horiki et al. (US 4,868,045). The Examiner views Lühmann as disclosing an adhesive tape which can be redetached by pulling, without residue and without damage, and views Horiki as disclosing a masking member that includes a water soluble polymer in its emulsion type adhesive to prevent the adhesive layer from transferring from the masking member to a surface which is being protected. The Examiner also reads Horiki as teaching that the water soluble polymer *may* increase the adhesive force of the adhesive and gives a releasing property to the adhesive.

From this, the Examiner concludes that it would have been obvious to those skilled in the art to add Horiki's water-soluble polymer to Lühmann's adhesive, motivated by the desire to improve the cohesive force and weatherability of the adhesive.

The Horiki reference is directed to providing an alternative to the known methods of preventing the adhesive from a masking member from being left on a substrate when the masking member is removed. Such masking members are typically removed from substrates by pulling them off, not by stretching. Nothing in Horiki teaches or suggests anything at all about an adhesive that is redetachable by stretching. The known methods for preventing adhesive from a masking member from being transferred from the masking member to the substrate discussed by Horiki include the addition of a release agent in the adhesive composition (col. 1, line 31). However, the release agent brings about a deterioration of stickiness, weatherability, heat resistance and the like (col. 1, lines 39 – 42). Horiki solves this problem by eliminating the release agent and substituting a water-soluble polymer ("composition consisting essentially of ..."). As the Examiner notes, with reference to Col. 1, line 69, the weatherability of the resulting adhesive does not **deteriorate** (as it did when the release agent was used). This, obviously, is because the release agent, which is known to deteriorate weatherability (Col. 1, lines 39-42) is not present. Horiki does not teach or suggest anything at all about **improving** weatherability; only about avoiding the deterioration of weatherability. Nothing in Horiki would teach or suggest that water-soluble polymers improve

weatherability. All Horiki teaches is that the removal of the release agent from the formulation eliminates the deteriorating effect that the release agent would have had on weatherability. This is very clear from the language beginning at Col 1, line 65 and continuing through Col 2, line 2. Horiki specifically teaches "...does not deteriorate..."

In addition, the Horiki reference is directed to a masking member which is used to "...protect a surface of an article from a surface treatment..." (Abstract). Thus, weatherability is a concern for Horiki. Lühmann, by contrast, does not concern a masking tape used to protect the surface of an article from a surface treatment, but rather is concerned with an adhesive for an entirely different use; to fix various articles to various substrates where they will remain until intentionally removed. Weatherability is not a concern for Lühmann. Nothing in the exemplary applications indicated at Col 3, lines 45 - 58 of the Lühmann reference would raise any concerns about weatherability.

Furthermore, Lühmann's adhesive is, and is intended to be, removable **without residue**, by stretching (col. 2, lines 47-48). Horiki's adhesive tape, by contrast, is a masking tape, not a stretchable tape removable by stretching. Horiki's water soluble polymer is added to an adhesive which is not taught as being stretchable; and is not taught as being residueless. In fact, the addition of the water-soluble polymer is taught to "...prevent the adhesive layer ...from transferring to the surface of the article..." (Col. 1, lines 45-48).

Inasmuch as Lühmann's adhesive already is residueless, there is absolutely no

reason why any person skilled in the art would be motivated to add anything to it to "...prevent the adhesive layer...from transferring to the surface of an article". This property is already present in Lühmann's adhesive. It is more likely that those skilled in the art would think a water-soluble polymer would be *detrimental* to Lühmann's adhesive, by making it more likely to absorb water and deteriorate.

For all of these reason, it is clear that no person reading Lühmann and Horiki could possibly see any benefit to adding Horiki's water soluble polymer to Lühmann's adhesive. Horiki's water-soluble polymer is not taught to do anything other than to provide Horiki's adhesive, which is clearly different than Lühmann's, with a property that Lühmann's already has. Contrary to the Examiner's assertion, no one would add Horiki's water-soluble polymer to Lühmann's adhesive "motivated by the desire to improve the cohesive force and weatherability of the adhesive", especially since Horiki never suggests that water-soluble polymers will improve either of these properties; water-soluble polymers only provide a substitute for release agents which, if present, would *deteriorate*, such properties.

More specifically, Horiki's water-soluble polymer has absolutely nothing to add to Lühmann's adhesive.

Accordingly no combination of Lühmann and Horiki could in any way be seen as teaching or suggesting Applicants novel pressure-sensitive adhesive, and the rejection of claims 1-7 under 35 U.S.C. 103(a) as obvious over Lühmann et al. (US 5,897,949) in

view of Horiki et al. (US 4,868,045) should now be withdrawn.

Claims 1-7 stand provisionally rejected under 35 U.S.C. 101 as claiming the same invention as copending Application Serial No. 10/739,705. It is anticipated that the '705 Application will be abandoned upon the allowance of the present application, thereby obviating the provisional rejection. It is therefore respectfully requested that further action of the provisional double patenting rejection be held in abeyance until the present claims are found to be in condition for allowance.

In view of the present remarks it is believed that claims 1-7 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

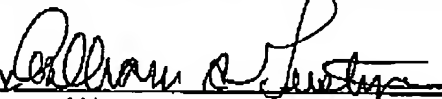
**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE


Please charge any insufficiency of fee or credit any excess to Deposit Account  
No. 14-1263.

Respectfully submitted,  
NORRIS, McLAUGHLIN & MARCUS, P.A.

By   
William C. Gerstenzang  
Reg. No. 27,552

WCG/zs  
Encl-Petition for Extension of Time (1 sheet)  
875 Third Avenue - 18<sup>th</sup> Floor  
New York, New York 10022  
(212) 808-0700  
Fax 212-808-0844

I hereby certify that this correspondence is being  
transmitted via facsimile, no. 571-273-8300 to the United  
States Patent and Trademark Office, addressed to: Mail  
Stop Amendment, Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450 on December 27, 2005.

By   
Zsuzse Schuster  
Date December 27, 2005